

**EIGHTY-SEVENTH GENERAL ASSEMBLY
2018 REGULAR SESSION
DAILY
SENATE CLIP SHEET**

March 13, 2018

Clip Sheet Summary

Displays all amendments, fiscal notes, and conference committee reports for previous day.

| Bill | Amendment | Action | Sponsor |
|--------------------------------------|-------------------------------------|---------------|-----------------------|
| <u>SF 2247</u> | <u>S-5139</u> | Adopted | RICH TAYLOR, et al |
| <u>SF 2302</u> | <u>S-5137</u> | Lost | DAVID JOHNSON |
| <u>SF 2321</u> | <u>S-5134</u> | Adopted | DAN DAWSON |
| <u>SF 2321</u> | <u>S-5135</u> | Adopted | DAN DAWSON |
| <u>SF 2326</u> | <u>S-5133</u> | Adopted | MICHAEL BREITBACH |
| <u>SF 2369</u> | <u>S-5138</u> | Adopted | MARK SEGEBART |
| <u>HF 2234</u> | <u>S-5140</u> | Filed | DAN ZUMBACH |
| <u>HF 2235</u> | <u>S-5136</u> | Filed | MARK LOFGREN |
| <u>HF 2377</u> | <u>S-5141</u> | Filed | THOMAS A. GREENE |

Fiscal Notes

[HF 2441](#) — [School District Program Funding Flexibility](#) (LSB6139HV.1)

[HF 2467](#) — [School Student Lunches, Food Shaming](#) (LSB5528HV.1)

SENATE FILE 2247

S-5139

1 Amend Senate File 2247 as follows:

2 1. Page 1, line 10, after <withdrawn.> by inserting <The
3 costs of mediation provided under this subsection shall be
4 borne by the petitioner.>

By RICH TAYLOR
NATE BOULTON

S-5139 FILED MARCH 12, 2018

ADOPTED

SENATE FILE 2302

S-5137

- 1 Amend Senate File 2302 as follows:
- 2 1. Page 1, by striking lines 8 through 20.
- 3 2. By renumbering as necessary.

By DAVID JOHNSON

S-5137 FILED MARCH 12, 2018

LOST

SENATE FILE 2321

S-5134

- 1 Amend Senate File 2321 as follows:
- 2 1. Page 1, line 3, after <person> by inserting <who is
- 3 eighteen years of age or older>
- 4 2. Page 1, after line 10 by inserting:
- 5 <Sec. _____. Section 724.4, Code 2018, is amended by adding
- 6 the following new subsection:
- 7 NEW SUBSECTION. 5. A minor who goes armed with a
- 8 dangerous weapon that directs an electric current, impulse,
- 9 wave, or beam that produces a high-voltage pulse designed to
- 10 immobilize a person, whether concealed or not, commits a simple
- 11 misdemeanor.>
- 12 3. Title page, by striking line 1 and inserting <An Act
- 13 relating to persons going armed with portable>
- 14 4. By renumbering as necessary.

By DAN DAWSON

S-5134 FILED MARCH 12, 2018

ADOPTED

SENATE FILE 2321

S-5135

- 1 Amend the amendment, S-5134, to Senate File 2321 as follows:
- 2 1. Page 1, after line 13 by inserting:
- 3 <____. Title page, by striking lines 2 through 4 and
- 4 inserting <devices or weapons that direct an electronic
- 5 current, and providing penalties.>>
- 6 2. By renumbering as necessary.

By DAN DAWSON

S-5135 FILED MARCH 12, 2018

ADOPTED

SENATE FILE 2326

S-5133

1 Amend Senate File 2326 as follows:

2 1. Page 1, by striking lines 1 through 17 and inserting:

3 <Sec. _____. Section 321.477, Code 2018, is amended to read
4 as follows:

5 **321.477 Employees as peace officers — maximum age.**

6 1. The department may designate by resolution certain of its
7 employees upon each of whom there is conferred the authority of
8 a peace officer to enforce all laws of the this state including
9 but not limited to the rules and regulations of the department.
10 Employees designated as peace officers pursuant to this section
11 shall have the same powers, duties, privileges, and immunities
12 conferred by law on peace officers for relating to the
13 enforcement of all laws of this state and the apprehension of
14 violators. The department and the department of public safety
15 shall coordinate to provide effective and efficient enforcement
16 of all laws of this state, including any related regulatory
17 actions.

18 ~~2. Employees designated as peace officers pursuant to this~~
19 ~~section who are assigned to the supervision of the highways~~
20 ~~of this state shall spend the preponderance of their time~~
21 ~~conducting enforcement activities that assure the safe and~~
22 ~~lawful movement and operation of commercial motor vehicles and~~
23 ~~vehicles transporting loads, including but not limited to the~~
24 ~~enforcement of motor vehicle laws relating to the operating~~
25 ~~authority, registration, size, weight, and load of motor~~
26 ~~vehicles and trailers, and registration of a motor carrier's~~
27 ~~interstate transportation service with the department.~~

28 ~~3.~~ 2. Employees designated as peace officers pursuant to
29 this section shall not exercise the general powers of a peace
30 officer within the limits of any city, except as follows:

31 a. When so ordered by the direction of the governor.

32 b. When request is made by the mayor of any city, with the
33 approval of the director.

34 c. When request is made by the sheriff or county attorney of
35 any county, with the approval of the director.

1 *d.* While in the pursuit of law violators or in investigating
2 law violations.

3 *e.* While making any inspection provided by this chapter, or
4 any additional inspection ordered by the director.

5 *f.* When engaged in the investigation and enforcement of laws
6 relating to narcotic, counterfeit, stimulant, and depressant
7 drugs.

8 ~~4.~~ 3. The limitations specified in subsection ~~3~~ 2 shall in
9 no way be construed as a limitation on the power of employees
10 designated as peace officers pursuant to this section when a
11 public offense is being committed in their presence.

12 ~~5.~~ 4. a. The department shall establish operational
13 requirements to assure that at least ninety percent of all
14 collective enforcement activities performed by employees
15 designated as peace officers pursuant to this section who
16 are assigned to the supervision of the highways of this
17 state shall be devoted to the protection of highway assets
18 and to activities that assure the safe and lawful movement
19 and operation of commercial motor vehicles and vehicles
20 transporting loads, including but not limited to all of the
21 following:

22 (1) The enforcement of motor vehicle laws relating to
23 the operating authority, registration, size, weight, and
24 load of motor vehicles and trailers, and registration of a
25 motor carrier's interstate transportation service with the
26 department.

27 (2) The enforcement of federal motor carrier safety
28 regulations and federal motor carrier hazardous materials
29 regulations as adopted in this chapter and in rules adopted by
30 the department under this chapter.

31 (3) The performance of activities required for
32 participation in the motor carrier safety assistance program
33 and the high priority program administered under 49 C.F.R. pt.
34 350.

35 (4) The control and direction of traffic.

1 (5) The enforcement of motor vehicle laws in road work
2 zones.

3 b. The department shall submit a report to the general
4 assembly on or before December 1 of each year that details the
5 nature and scope of enforcement activities conducted in the
6 previous fiscal year by employees designated as peace officers
7 pursuant to this section who are assigned to the supervision
8 of the highways of this state. The report shall include a
9 comparison of commercial and noncommercial motor vehicle
10 enforcement activities conducted by such employees and any
11 other information necessary to demonstrate the department's
12 compliance with the operational requirements established
13 pursuant to this section.

14 c. The operational requirements established pursuant to
15 this section are intended to assure the effective use of the
16 department's resources. The failure of the department or
17 employees designated as peace officers pursuant to this section
18 to meet the operational requirements shall not be a defense to
19 any charge in the prosecution of a person arrested or issued
20 a citation in lieu of arrest by an employee designated as a
21 peace officer pursuant to this section, and shall not create a
22 private cause of action.

23 ~~6.~~ 5. The maximum age for a person employed as a peace
24 officer pursuant to this section is sixty-five years of age.>

25 2. By renumbering as necessary.

By MICHAEL BREITBACH

S-5133 FILED MARCH 12, 2018

ADOPTED

SENATE FILE 2369

S-5138

1 Amend Senate File 2369 as follows:

2 1. Page 2, line 10, after <child's> by inserting <custodial
3 parent's>

4 2. Page 2, line 25, after <child's> by inserting <custodial
5 parent's>

6 3. Page 2, line 34, after <child's> by inserting <custodial
7 parent's>

By MARK SEGEBART

S-5138 FILED MARCH 12, 2018

ADOPTED

HOUSE FILE 2234

S-5140

1 Amend House File 2234, as passed by the House, as follows:
2 1. By striking page 1, line 33, through page 2, line 30.
3 2. Page 3, by striking lines 3 through 11 and inserting
4 <be reduced to six months, or reduced to three months if the
5 property is not used for an agricultural purpose as defined in
6 section 535.13, provided in all cases under this section that
7 the mortgagee waives in the foreclosure action any rights to
8 a deficiency judgment against the mortgagor which might arise
9 out of the foreclosure proceedings. In such event the debtor
10 will, in the meantime, be entitled to the possession of said
11 real property; and if such redemption period is so reduced, for
12 the first ~~three~~ two months after sale such right of redemption
13 shall be exclusive to the debtor, and the time periods in
14 sections 628.5, 628.15, and 628.16, shall be reduced to ~~four~~
15 three months.>

By DAN ZUMBACH

S-5140 FILED MARCH 12, 2018

HOUSE FILE 2235

S-5136

1 Amend House File 2235, as passed by the House, as follows:

2 1. Page 1, by striking line 2 and inserting <subparagraphs
3 (1) and (2), Code 2018, are amended to read as follows:>

4 2. Page 1, line 4, after <statewide> by inserting
5 <summative>

6 3. Page 1, line 9, before <assessment> by inserting
7 <summative>

8 4. Page 1, after line 12 by inserting:

9 <(2) The For the school year beginning July 1, 2018, and
10 each succeeding school year, the rules shall also require ~~that~~
11 all of the following:

12 (a) That all students enrolled in school districts in
13 grades three through eleven be administered an assessment in
14 mathematics and English language arts, including reading and
15 writing, during the last quarter of the school year and all
16 students enrolled in school districts in grades five, eight,
17 and ten be administered an assessment in science during the
18 last quarter of the school year.

19 (b) That the assessment, at a minimum, assess the core
20 academic indicators identified in this paragraph "b"; be
21 aligned with the Iowa common core standards in both content
22 and rigor; accurately describe student achievement and
23 growth for purposes of the school, the school district, and
24 state accountability systems; provide valid, reliable, and
25 fair measures of student progress toward college or career
26 readiness; and meet the summative assessment requirements of
27 the federal Every Student Succeeds Act, Pub. L. No. 114-95.

28 (c) That the assessment be available for administration in
29 both paper-and-pencil and computer-based formats and include
30 assessments in mathematics, science, and English language arts,
31 including reading and writing.

32 (d) That the assessment be peer-reviewed by an independent,
33 third-party evaluator to determine that the assessment is
34 aligned with the Iowa core academic standards, provides a
35 measurement of student growth and student proficiency, and

S-5136 (Continued)

1 meets the summative assessment requirements of the federal
2 Every Student Succeeds Act, Pub. L. No. 114-95. The assessment
3 developed by the Iowa testing service within the university of
4 Iowa college of education shall make any necessary adjustments
5 as determined by the peer review to meet the requirements of
6 this subparagraph (2).>

By MARK LOFGREN

[S-5136](#) FILED MARCH 12, 2018

HOUSE FILE 2377

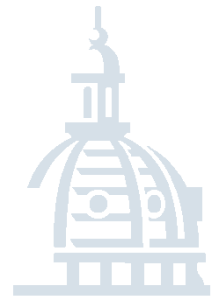
S-5141

1 Amend House File 2377, as amended, passed, and reprinted by
2 the House, as follows:

3 1. Page 4, by striking lines 6 through 10 and inserting:
4 <g. Including all schedule II ~~controlled substances,~~
5 schedule III, schedule IV, and those substances in schedules
6 ~~III and IV that the advisory council and board determine can~~
7 ~~be addictive or fatal if not taken under the proper care and~~
8 ~~direction of a prescribing practitioner~~ schedule V controlled
9 substances except when dispensed by a pharmacist without a
10 prescription, and opioid antagonists.>

By THOMAS A. GREENE

S-5141 FILED MARCH 12, 2018



HF 2441 – School District Program Funding Flexibility (LSB6139HV.1)
Analyst: Jocelyn Gerrietts (515.238.2833) jocie.gerrietts@legis.iowa.gov
Fiscal Note Version – As Amended and Passed by the House

Description

House File 2441 as amended and passed by the House makes several changes regarding the use of funds by school districts. Several sections of the Bill are effective upon enactment. Other sections are applicable to either the FY 2018 or FY 2019 school year.

Changes include:

- Early Intervention categorical funds (\$34.9 million in estimated FY 2019, generated through the school aid formula) may be used for any school general fund purpose.
- At-risk and dropout prevention programming will be approved by resolution of a district's school board and modified supplemental aid (MSA) amounts will be submitted to and reviewed by the School Budget Review Committee (SBRC). The SBRC shall grant requests for MSA that meet the school district's approved plans. Plans are to be submitted November 1.
- Specifies that At-risk and Dropout Prevention MSA may be used to pay for staff including but not limited to administrative staff, psychologists, social workers, and school safety personnel.
- Allows At-risk and Dropout Prevention MSA to be used for any purpose that directly benefits students in the adopted program.
- Removes limitations on the length of time allowed for the term of school district property leases.
- Creates additional allowable uses for unspent balances in school districts' Child Care Enterprise Fund.
- Clarifies allowed uses of Home School Assistance Program funds.

Background

Early Intervention

Iowa Code chapter [256D](#), (Early Intervention Block Grant) is scheduled to sunset on July 1, 2018 (FY 2019). The funding for the Program is generated as specified under Iowa Code section [257.10\(11\)](#) (Early Intervention Supplement), which will continue and is not impacted by the repeal of Iowa Code chapter [256D](#). The Bill removes the requirement that the funding generated under Iowa Code section [257.10\(11\)](#) be used pursuant to Iowa Code chapter [256D](#). If this requirement is not removed, beginning in FY 2019, school districts will no longer be able to expend the funding generated under Iowa Code section [257.10\(11\)](#) due to the repeal of Iowa Code chapter [256D](#). Department of Education administrative rules regarding the funds will remain in the Administrative Code, although they will no longer have any legal effect. Once the statute authorizing these rules is repealed, the Department will need to rescind the rules through the normal rulemaking process.

Goals of the Early Intervention Supplement/Block Grant are:

- To provide resources for K-3 classrooms to reduce class sizes in basic skills instruction to the State goal of one teacher per 17 students in that grade range.
- To achieve a higher level of student success in basic skills, especially reading skills.
- To increase communication and accountability regarding student performance.

Funding currently may be expended for the following:

- Additional licensed instructional staff.
- Additional support for students, such as before and after school programs, tutoring, and intensive summer programs.
- Acquisition and administration of diagnostic reading assessments.
- Implementation of research-based instructional intervention programs for students needing additional support.
- Implementation of all-day, every-day kindergarten programs.
- Providing classroom teachers with professional development and intensive training programs in best practices to improve reading instruction, including but not limited to training programs related to instruction to increase students' phonemic awareness, reading abilities, and comprehension skills.

At-risk and Dropout Prevention Programming

Funding for At-risk and Dropout Prevention programming is generated in two ways: through the school aid formula with a supplementary weighting model and through MSA amount. The supplementary weighting for at-risk students provides additional funding to school districts for providing programs that serve at-risk students and alternative school students through the school aid formula. The calculation for supplementary weighting is outlined in Iowa Code section [257.11\(4\)](#) and is based on the school district's total enrollment and the number of students in grades 1 through 6 who are eligible for free or reduced price lunch. School districts may also request At-risk and Dropout Prevention MSA, which is generated by property taxes. The maximum allowable request varies by district, and is between 2.5% and 5.0% of the district's regular program cost as required by Iowa Code section [257.41\(3\)](#). Program funding must consist of up to 75.0% of the MSA and at least 25.0% from the district cost generated through the school aid formula.

Child Care Fund

The Child Care Fund is a school district enterprise fund created under Iowa Code chapter [298A](#), which must be established by any district receiving money for the purpose of offering a child care program. There are some districts that have remaining balance from the fees collected from parents and families for the purpose of offering child care. This provision allows districts to transfer the additional balance, after completing a public hearing, to the district's general fund.

As of FY 2017, 71 school districts had established Child Care Funds. Twenty-nine of the funds have reported positive balances, totaling an estimated \$3.4 million Statewide.

Fiscal Impact

There is no expected fiscal impact to the State, for any of the Bill's provisions.

School districts will be allowed to expend funding generated by the Early Intervention Categorical Supplement for any school general fund purpose in FY 2019 and future years.

School districts may generate a different amount of MSA for At-risk and Dropout Prevention programming based on changes, but the impact on property taxes cannot be determined at this time.

School districts will be able to transfer unused Child Care Funds to the districts' general fund.

Sources

Department of Education
Department of Management
LSA analysis and calculations

/s/ Holly M. Lyons

March 12, 2018

The fiscal note for this Bill was prepared pursuant to Joint Rule 17 and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

Fiscal Note

Fiscal Services Division



HF 2467 – School Student Lunches, Food Shaming (LSB5528HV.1)
Analyst: Josie Gerrietts (515.238.2833) josie.gerrietts@legis.iowa.gov
Fiscal Note Version – As Amended and Passed by the House

Description

[House File 2467](#) as amended and passed by the House has two sections regarding student lunch debt in Iowa schools:

- Section 1 allows school districts to seek setoff for certain lunch debt pursuant to Iowa Code section [8A.504](#).
- Section 2 requires school districts to provide information twice annually to all parents and guardians regarding the application process for Free and Reduced Meals, and additionally if a student owes lunch debt for five or more meals. This section also encourages school districts to provide a reimbursable meal to any student requesting it; makes provisions prohibiting publicly identifying students with lunch debt; allows districts to create an unpaid student meals account into which they may deposit moneys received from outside sources for paying student meal debt; and requires the Department of Education to work with school districts on creating a model of best practices.

The Bill is effective July 1, 2018.

Background

There are an estimated 433 School Food Authorities (SFAs) in the State, made up of the 333 school districts and 100 nonpublic schools. Currently, school districts are not required to offer meals to students with negative meal account balances; school boards are required to maintain policies regarding the handling of students with meal debt. Public schools in Iowa served an estimated 17.0 million breakfasts and 62.3 million lunches in FY 2017. In that year, if all students had eaten school lunch every day of the 180-day school year, there would have been 87.0 million lunches served.

In order to be compliant with the U.S. Department of Agriculture's (USDA) requirements for the National School Lunch Program (Free and Reduced Lunch Program), SFAs provide information annually to all parents and guardians regarding free and reduced lunch. Some school districts may already notify families multiple times of the program application process, and many districts complete targeted follow-up with families that have lapsed applications.

Assumptions

Section 1

- Districts will be unable to retrieve funds under the described setoff procedure in Section 1 because they do not have access to parents' Social Security numbers. It is assumed districts will not use additional staff time if they are not able to use the setoff procedure.

Section 2

- School Food Authorities already notify families of the Free and Reduced Lunch Program at least once in order to meet USDA requirements; a second notification may incur additional cost if districts are not already notifying a second time.
- Increased staff time will be needed to sort and identify the students with more than five unpaid meals and to subsequently contact these families each week of the school year.
- It is assumed that both the second notification and notification after five or more unpaid meals will be completed by a clerical staff member, at an estimated cost of \$12 per hour.
- School Food Authorities that participate in the USDA's Free and Reduced Lunch Program are required to offer meals at cost. It is estimated that reduced-price breakfasts cost \$0.30 per meal to districts; reduced-price lunches cost \$0.40 per meal. This is the total that would not be reimbursed if the meal remained unpaid.
- It is estimated that full-price breakfasts cost \$1.50 per meal; full-price lunches cost \$2.75 per meal. These costs will vary by school district.

Fiscal Impact

The estimated increase in cost in staffing across all SFAs is \$245,600, or an estimated average of \$570 per SFA. This includes an estimated \$58,500 for the second notification regarding the Free and Reduced Lunch Program: 217 hours of staff time to produce and send the notification and the cost of sending the notification. The total also includes \$187,100 for the account monitoring and notification for students with more than five unpaid meals; this total assumes that account monitoring and notification take 433 hours, or an hour per week per SFA for 36 weeks. It is possible that some of the SFAs will be able to complete the extra work with staff already available; however, this will be dependent on the SFA's staffing levels.

The offering of a reimbursable meal to students with meal debts is not mandatory, and it is not possible to determine at this time how many SFAs may choose to participate in such a model.

Sources

Department of Education
LSA analysis and calculations

/s/ Holly M. Lyons

March 12, 2018

The fiscal note for this Bill was prepared pursuant to Joint Rule 17 and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.
